REMARKS

Please reconsider this application in view of the above amendments and the following remarks. Applicants thank the Examiner for considering this application.

Disposition of Claims

Claims 7-16 are pending in the referenced application. Claims 7, 10, 13, and 16 are independent. The remaining claims depend, directly or indirectly, from independent claims 7, 10, and 13.

Claim Amendments

Claim 16 has been amended to clarify the invention. Support for the aforementioned amendment may be found, for example, in originally-filed claim 16. Claims 14-15 have been amended to depend from claim 13. Support for the aforementioned amendments may be found, for example, in at least originally-filed claims 13-15. Further, claims 7-16 have been amended to reflect proper U.S. format. Support for the aforementioned amendments may be found, for example, in at least originally-filed claims 7-16. No new matter has been added by any of the aforementioned amendments.

Double Patenting Rejection

Claims 7, 10, 13, and 16 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 3, and 6 of U.S. Patent No.

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7,039,808. A terminal disclaimer has been filed with this reply. Accordingly, the rejection is now moot and withdrawal is respectfully requested.

Claim Objections

Claims 14-15 were objected to by the Examiner as being of improper dependent form. Claims 14-15 have been amended in accordance with the Examiner's suggestion on page 2 of the Action (claims 14-15 have been amended to depend from claim 13). Accordingly, claims 14-15 are in proper dependent form, and withdrawal of this objection is respectfully requested.

Rejections under 35 U.S.C. §112

Claims 7 and 16 stand rejected under 35 U.S.C. § 112, paragraph 2, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. For the reasons set forth below, the rejection is respectfully traversed.

Claim 7

The Examiner rejected claim 7 for including the term "protected device," as the general meaning of the term protected device ("a device which is protected") and the function of the claimed device is totally different. *See* Action, p. 2. Applicants respectfully assert, however, that "[w]hen reading the claims, the terms best understood by the specification are how they are supposed to be interpreted. A fundamental principle contained in 35 U.S.C. 112, second paragraph is that applicants are their own lexicographers. They can define in the claims what they regard as their invention essentially in whatever terms they choose so long as any special meaning assigned to

a term is clearly set forth in the specification." MPEP § 2111.01. Thus, because the term "protected device" is clearly defined in the specification, the well recognized meaning should not be used when interpreting the claims.

Specifically, paragraphs [0017]-[0021] of the publication of U.S. Application Serial No. 10/706,021 ("Published Application") clearly define "protected device" as a device which would be used to store the private key of a signer and for calculating the signature, the message remaining stored in a storage device of the computer. Accordingly, claim 7 is definite, and withdrawal of the rejection is respectfully requested.

Claim 16

The Examiner rejected claim 16 for including the terms "certain" and "uncertain." As shown in paragraphs [0017]-[0021] of the Published Application, an "uncertain zone" is an environment that provides minimum security, whereas a "certain zone" is an environment that is relatively secure. Claim 16 has been amended to clarify that the storage device is an "uncertain zone" and that the display device is a "certain zone." Accordingly, claim 16 is definite, and withdrawal of this rejection is respectfully requested.

Rejections under 35 U.S.C. §101

Claims 7-16 stand rejected under 35 U.S.C. § 101 for being directed to non-statutory subject matter. The Examiner has interpreted the authentication device, microprocessor card, and box of claims 7-16 to be directed to software, because dependent claims 8, 11, and 14 require a software link between the devices. The Applicants respectfully assert that the existence of software

that links two devices does not indicate that the devices themselves are software. An authentication

device, microprocessor card, and a box as recited in the claims are clearly directed to statutory

subject matter. Accordingly, withdrawal of this rejection is respectfully requested.

Rejections Under 35 U.S.C. § 103

Claims 7-16 stand rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent

No. 5,237,609 ("Kimura") in view of U.S. Patent No. 6,510,514 ("Sedlak"). For the reasons set

forth below, the rejection is respectfully traversed.

MPEP § 2143 states that "[t]he key to supporting any rejection under 35 U.S.C. 103 is

the clear articulation of the reason(s) why the claimed invention would have been obvious. The

Supreme Court in KSR noted that the analysis supporting a rejection under 35 U.S.C. 103 should be

made explicit." Further, when combining prior art elements, the Examiner " must articulate the

following: (1) a finding that the prior art included each element claimed, although not necessarily in

a single prior art reference, with the only difference between the claimed invention and the prior art

being the lack of actual combination of the elements in a single prior art reference; …" MPEP

§ 2143(A).

Turning to the rejection, Applicants assert that neither Kimura nor Sedlak teach or

suggest all the limitations recited in the independent claims. Specifically, independent claim 7

recites, in part,

> "a message storage device,
> a protected device connected to said storage device,
> a display device connected to said protected device, characterized
>   in that the protected device is constituted by a
>   microprocessor card provided with inputs/outputs $I_1/0_1$ of
>   commands/data for the link with said storage device and $I_2/0_2$

  of display for the link with said display device, physically
separate" (emphasis added).

  The aforementioned limitations explicitly require, (i) a protected device including a microprocessor card; (ii) a storage device connected via the protected device to the display device; and (iii) two physically separate links – one connecting the protected device to the storage device and one connecting the storage device to the display device. Independent claims 10, 13, and 16 recite similar limitations.

Kimura fails to teach or suggest a protected device constituted by a microprocessor card

  The portion of Kimura relied upon by the Examiner (col. 4, ll. 4-25, col. 6, ll. 2-39) is directed to a portable memory card configured to be inserted into a terminal, such that the portable memory card exhibits a high degree of security. In the Action, however, the Examiner did not cite specific elements from Kimura that could be equated with a portable device. It appears, however, that Kimura only teaches a terminal configured to accept a memory card (*i.e.*, the memory card 100 is inserted inside the terminal 200). *See e.g.*, Kimura, Fig. 1.

  Kimura is completely silent with respect to a microprocessor card. Applicants respectfully note that a memory card nor a terminal can be equated with a microprocessor card. Moreover, Kimura does not teach that the terminal is a protected device, rather, Kimura discloses that the terminal should not be trusted as a priori. *See e.g.*, Kimura, col. 3, ll. 33-40.

  Even assuming *arguendo* that the memory card of Kimura can be interpreted as a protected device, Applicants respectfully assert that the memory card does not include a microprocessor card as required by the claimed invention. Specifically, Kimura discloses that the "memory unit has security functions but no microprocessor." *See e.g.*, Kimura, claim 1.

Kimura fails to teach a storage device connected via a protected device to a display device

Further, Kimura fails to teach or suggest that a display device is connected to a storage device via a protected device; rather, Kimura teaches that the display device is directly connected to the terminal. *See e.g.,* Kimura, Fig. 1 and associated text. As discussed previously, the terminal cannot be interpreted as a protected device. *See e.g.,* Kimura, col. 3, ll. 33-40 and claim 1.

Sedlak fails to teach two physically separate links

The Examiner acknowledges that Kimura fails to teach or suggest physically separate links, and thus, relies on Sedlak to teach that which Kimura lacks. *See* Action, p. 6. However, Sedlack does not teach or suggest that which Kimura lacks. The portion of Sedlack relied upon by the Examiner (col. 2, ll. 19-54, col. 3, ll. 3-25) is limited to teaching a single link (element 5 in the figure). Sedlak is silent with respect to a protected device having two distinct inputs/outputs: a link with the storage device (input/output I_1/O_1) and a link with the display device (input/output I_2/O_2).

In view of the above, Kimura and Sedlack fail to teach or suggest all the limitations of independent claims 7, 10, 13 and 16. Accordingly, Kimura and Sedlack do not support the rejection of independent claims 7, 10, 13 and 16 under 35 U.S.C. § 103. Further, Kimura and Sedlack do not support the rejection of the pending dependent claims. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 09669/009002; 76.0847).

Dated: March 7, 2008

Respectfully submitted,

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Attachment (Terminal Disclaimer)

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